

National Assessment of the Worker Protection Program

Recommendations to the U.S. Environmental Protection Agency For Improving Farmworker Pesticide Safety Training From the ARI/EPA General Training Issues Workgroup

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The General Training Issues Workgroup was established as a result of the National Assessment of the Worker Protection Program initiated in June 2000. This document contains the recommendations made by the General Training Workgroup to the Environmental Protection Agency (EPA) suggesting improvements to farmworker pesticide safety training required by the Worker Protection Standard (WPS). The group reached consensus on all of the recommendations put forth in this document.

Note: The focus of this workgroup was to address the components of worker training. The group did not examine handler training as EPA is considering moving that requirement into Certification & Training (40 CFR Part 171).

Recommendations for Improving Worker Training

1. Review **core elements** in worker training and propose additions, subtractions or changes.

Recommendation

- EPA should study the impact of the 5-day grace period on outcomes of worker training
- The General Training Workgroup revisited the issue of the 5-day grace period. The group decided to recommend a three-day grace period.

2. Review and provide suggestions on the **context** of worker training.

- The General Training Workgroup chooses not to place restrictions such as when or where the WPS safety training occurs as long as qualified individuals conduct effective training.

Recommendations

- Employers shall assure that training is or has been conducted in compliance with state and federal labor and wage/hour laws as a condition of employment (e.g. if training meets conditions set forth in FLSA or applicable state labor law than workers shall be paid for the training).
- Employers shall attempt to provide conditions that are conducive to effective training (e.g. comfortable environment, free from distraction)

3. Review and provide suggestions about ways to ensure **training consistency and quality**.

Recommendations

- Incorporate the General Training Workgroup's suggested additions to core training content as outlined in Item #7 into the National Minimum Standards.
- EPA should develop a mechanism to quantitatively evaluate the quality of worker training programs at the national level.
- Validate EPA national training materials via pilot programs, focus groups, or other quantitative and/or qualitative evaluation methods.

- Assure that any non-EPA training materials developed at a state or regional level are evaluated for efficacy.
 - Develop and utilize validated, pre-packaged (core training and other program) materials that address various worksite situations (i.e. farms, forests, greenhouses, nurseries and mushroom houses). This suggestion was referred to the Train-the-Trainer Workgroup for their consideration.
 - Trainers should present and review key learning objectives to the workers prior to and following training to assure comprehension. This suggestion was referred to the Train-the-Trainer Workgroup for their consideration.
4. Review and provide suggestions about **quality and characteristics of WPS training materials**.

Recommendations

- Training materials for workers and handlers should remain separate for the time being.
- EPA should develop and maintain an updated central list (materials catalog) including both EPA-approved as well as other available WPS training materials. This list should be available online and linked to other sites, as appropriate.
- EPA should coordinate with American Association of Pesticide Safety Educators (AAPSE) and Association of American Pest Control Officials (AAPCO) on the central list (materials catalog).
- Materials catalog should be more widely publicized, advertised and distributed by EPA (websites, etc.).
- EPA should include in the training materials catalog a list of worker/handler training providers (e.g. Americorps, CATA, Extension, community groups, farmworker organizations) organized by state and region that includes contact information.
- Languages in which training programs and/or materials are available should be noted in catalog.
- All training materials should include a handout that outlines a concise list of learning objectives (based on amended training content outlined in Item #7) to be provided to workers at the time of training.
- EPA should develop standard training materials with graphics that represent cultural diversity (i.e. graphics should include people of all races and ethnicities throughout the material).
- EPA should continue to support the development of culturally appropriate training materials.
- Training materials should be developed in such a way that encourages interaction and participation (e.g. games, role play, scenarios, theatre and demonstrations).
- The graphic used demonstrating “keep out” should be reexamined. Many participants question the clarity of the upheld hand graphic and think that the skull and crossbones should be used instead. The group recognizes that there are many considerations with regard to other warning symbols and asks the Hazard Communication Workgroup to study possibilities for change.

- The Hazard Communication Working Group should address the feasibility of developing hazard and crop-specific training materials.
5. Review and discuss issues surrounding **worker verification cards** and make suggestions for an improved system.

Recommendations

- EPA should research successful state models that use the verification card system as well as those that do not use the verification card systems.
 - EPA should work with the Office of Enforcement and Compliance Assurance (OECA) to determine the legal basis for enforcement for trainers that distribute verification cards without conducting the training.
6. Review and discuss observations regarding the **re-training interval** for workers and suggest options for improvement.

Recommendations

- EPA should research optimum re-training intervals – including re-training intervals as practiced by other certifications (i.e. CPR certification). Certifications examined should be those which could be held by persons of similar educational backgrounds to farmworkers.
 - Consider the findings of the Workgroup looking at handler certification requirements for WPS in revising the re-training interval. The re-training interval required for workers should not be more restrictive than that required for handlers.
 - There is general consensus that the worker re-training interval should be shorter than 5 years, however, the group refrained from making a recommendation about the length of the interval and recommend EPA study the issue.
7. Review the current **core elements in worker training** per the Worker Protection Standard (40 CFR Part 170) and propose additions, subtractions or changes.

Recommendations

- A requirement entitled “How and why the WPS protects workers” should be added. This would focus a reminder about potential dangers from pesticide exposure, the importance of protecting one’s self and family from potential exposures, as well as a “right to know” about hazards in the workplace. It would not provide a history of the regulation. (170.130 (d) 4)
- A requirement focusing on what pesticides are and how workers recognize them in their native language (for example, plaguicida, pesticida, medicina in Spanish) should be added. (170.130 (d) 4)
- To convey information properly, it must be communicated orally to workers: Workers are not likely to read a brochure or may have difficulty with printed material. Oral communication of training in a language that the workers can understand should be required.
- Worker training should emphasize how workers can prevent pesticide exposures.

- EPA should consider adding elements of handler training to worker training. The General Training Workgroup recommends initiating a focus group or pilot to study/examine the idea of incorporating elements of handler training into worker training.
- An item on basic recognition of pesticide poisoning, such as “If you or someone else get sick while working around pesticides, a poisoning may have occurred.” should be added. (170.130 (c) 1)
- The time period of 5 days to provide additional training should be changed to 2–3 days. The type of training that will be provided should be conveyed explicitly to workers. This will allow the workers to know whether they have in fact received the required training. (170.130 (c) 3)
- Following 170.130 (d) 4 iii, an exposure prevention requirement, such as “How to prevent pesticide exposure” should be added, with the following sub-points:
 - 1) Following directions and/or signs about keeping out of treated or restricted areas.
 - 2) Washing before eating, drinking, using chewing gum or tobacco, or using the toilet.
 - 3) Wearing work clothing that protects the body from pesticide residues. (Add reference to appropriate work clothing – wear clothes that cover the skin.)
 - 4) Washing/showering with soap and water, shampooing hair, and putting on clean clothes after work.
 - 5) Washing work clothes separately from other clothes before wearing them. (Expand to include instructions on washing clothing properly to prevent cross contamination.)
 - 6) Washing immediately in the nearest clean water if pesticides are spilled or sprayed on the body. As soon as possible, shower, shampoo and change into clean clothes.
 - 7) Preventing family exposure. (Including why not to wear work boots in the house and risks to pregnant women and children.) (170.130 (d) 4)
- Instructions on how to wash clothing properly should be added. (170.130 (d) 4 ix)
- To ensure that all necessary information is conveyed, 170.130 (d) 4 xi, should be subdivided into the following requirements:
 - 1) Entry restrictions (REI) and different types of applications.
 - 2) Posting of warning signs, oral warnings and the design of the warning sign.
 - 3) The availability of specific information about applications and where it is located within the workplace.
 - 4) Protection against retaliatory acts. (Explain what retaliation is and workers’ rights under the WPS.)
 - 5) How to initiate a complaint. (Complaint process.) (170.130 (d) 4 xi)
- A requirement entitled “Additional Information” which would require trainers to disseminate the following information:
 - 1) Toll-free 800 telephone number for tips and complaints.
 - 2) The National Pesticide Information Center number, to allow workers to access more information related to the WPS. (170.130 (d) 4)
- Parallel to the requirement under handler training (170.230 (c) 4 ix), a requirement entitled “Prevention, recognition, and first aid treatment of heat-related illness” should be added. (170.130 (d) 4)

8. Review and provide suggestions for moving toward **measurable compliance** to ensure that training is occurring.

Recommendations

- Both the Worker Protection Standard (WPS) and the “How to Comply with WPS” manuals must be reorganized and written in an understandable manner. Currently, requirements that pertain to the same subject are in various places in the rule. Also, the language is subject to interpretation, making it difficult for a grower to read the Standard and to understand how to comply.
- All trainers (e.g. farmworker groups, contractors, growers) should be required to keep logs of workers trained for the duration of the retraining interval. Logs must include: name of trainer, date/location of training, name and signature of trainee.
- Growers may satisfy the requirement that their workers are trained by providing one of the three following forms of documentation (*Note: The group made this recommendation with the intention of protecting growers, not adding undue burden to their practice*):
 - 1) Worker may present a valid training verification card of which the grower must keep a copy. Then the grower must obtain name and signature of the worker to verify that site-specific training has occurred.
 - 2) If worker has been trained within the retraining interval but has no verification card, then he or she must pass a standard oral/written test. The test must be developed by EPA and questions should be based on revised WPS content. A copy of this test and a signature of the worker to verify that site-specific training has occurred must be retained.
 - 3) Worker may obtain training at or near work site. Trainer must retain a log including name of trainer, date/location of training, and name and signature of trainee. This training must also include site-specific training.
- EPA must ensure that adequate personnel and resources for program enforcement are available. Without this critical component, recommendations to improve the system will not be effective.

9. Review **posting and field signing requirements**, including posting locations and written and oral notification.

Recommendations

- EPA must study the effectiveness of different signs to convey, “Danger, Do Not Enter.” There is concern that the current sign (face with hand) is confusing to workers. Investigate a universal symbol for “Do Not Enter” such as a stick figure walking with a circle around the figure and slash through the circle. If the skull and crossbones is determined to convey the “Do Not Enter” message most effectively, EPA should consider using it. However, since this symbol is used to indicate Toxicity Category I pesticides, it should be used only if no alternative signage exists.
- When a grower uses written notification, the posted field sign must include dates of restricted entry.

- Signs should be available and provided in other languages, in addition to English and Spanish.
- Method of notification used by grower (oral or written) and sign recognition must be incorporated in site-specific information/training.
- EPA should study compliance rates among growers for posting and/or oral notification. The group thinks that label recommendations for notification requirements are generally adequate.

10. Review **industry-specific training** and make suggestions regarding development and implementation.

Recommendations

- The group decided that there are two options for achieving industry-specific training:
 - 1) Insert into regulation, “information presented in WPS training shall be applicable to specific industry (i.e. farms, forests, nurseries, greenhouses).” All trainings would satisfy general training requirements while emphasizing and illustrating specific industries.
 - 2) Generic training would be provided with a short (a few additional training flipchart pages, a few more minutes of video, one or two extra pages in worker training handbook) module devoted to the specific industry.
- EPA should develop and distribute industry-specific “How to Comply” manuals.
- Mandatory site-specific information/training must be provided upon arrival at work site. Information conveyed shall include:
 - 1) Emergency decontamination sites
 - 2) Method of notification of restricted entry and sign recognition if written notification used
 - 3) Location of Central Posting

11. **Families and Pesticides** - Review current worker training as per the Worker Protection Standard, and consider **what information should be included and what risks should be highlighted for workers to share with their families.**

Recommendations

- Include in WPS training requirements a suggestion to workers that they share the information they learn with their families.
- In the suggested revisions to the WPS (see Item #7), the group recommended the inclusion of language specifying “prevention of exposure to farmworker families, children, women of child bearing age and pregnant women.” This should also include:
 - 1) Restricting access to treated fields (sign recognition)
 - 2) Playing in or inappropriate use of irrigation water
 - 3) Removing shoes/boots prior to entering home
 - 4) *Suggestion from the Hazard Communication Workgroup: Frequent vacuuming in home*
- EPA should work with public health agencies to develop materials about pesticide exposures to farmworker families.

- Trainings should emphasize special risks to women of childbearing age, pregnant women and children. Addition to suggested revisions to WPS. Highlight the risks of using contaminated water to the WPS-required training topics in the following phrase (“...hazards from chemigation, drift, and contaminated water.”)
12. Review current WPS requirements and make suggestions for **enhancing the Central Display / Central Posting to communicate potential pesticide hazards.**
- All central display requirements should be located in the same place in the regulation so that growers are easily able to find them and comply with them.
 - Inclusion of State Lead Agency contact information should be mandatory on the “Protect Yourself” poster to allow workers to easily contact them to file a complaint or report noncompliance.
 - All EPA materials at the Central Display site should have a common logo and clear identification as WPS material.
 - Revise regulation to specify the Central Posting be in a location with “unrestricted access.” Workers should not have to ask for access to the information. [40 CFR 170.135 (e)]
 - Central Display should include a bulleted list of required training objectives to make workers aware of what information they should receive during training.
 - An illustration that addresses protecting families from pesticide exposure should be added to the “Protect Yourself” poster.
 - EPA should reorganize the layout and content of the poster “Protect Yourself”, keeping illustrations large and obvious and using less text.
 - The WPS should be changed to require at least one stationary, permanent central display location. Safety posters may be posted in other areas as well. This practice should be encouraged in situations where workers are highly mobile day by day or hour by hour.
13. Review of a videotaped training, examining presentation, interaction and content and **provide suggestions for the development of worker training programs.**

Recommendations / Observations

- Use of humor is important.
- Use of props, demonstrations and interactive methods is important. There should be many opportunities for questions.
- Using a colored flipchart is effective.
- Trainers should remain focused in even distracting learning situations.
- Training should include how to initiate complaints and report noncompliance. It is important to have lead agency contact information on Central Posting.
- EPA should increase size of the training flipchart from 11”x17” to tabletop size.
- Trainers should be careful of tone and word use so as not to overstate risk and outcomes.

14. Review a current training video: “Siguiendo El Sol... Chasing the Sun” and make suggestions on **what to consider when producing training videos**.

Recommendations

- Videos should use real life examples (in the field). They should not be filmed in a classroom, but rather in situations workers may encounter.
- There must be attention to detail. All situations filmed must undergo careful review to ensure that only correct procedures are illustrated.
- Videos should use only one language at a time. Subtitles are not recommended.
- There must be take-home materials that accompany the video.
- There must be clarity about the main objectives with comprehension checks. Videos should include pauses with questions and illustrated answers.
- All videos should specify that the training is being provided in accordance with the WPS.
- Video must be short (30 minutes or less).
- Videos are most effective when they use a story / scenario with humor.